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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,142	06/14/2001	Paul M. Thomsen	HITHOME.001A	8108

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EXAMINER	
SHELEHEDA, JAMES R	

ART UNIT	PAPER NUMBER
2623	

DATE MAILED: 05/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/881,142	THOMSEN, PAUL M.	
	Examiner	Art Unit	
	James Sheleheda	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 March 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,5-20,22-26,28-31 and 33-44* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,5-20,22-26,28-31 and 33-44* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/15/06 has been entered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-3, 5-20, 22-26, 28-31 and 33-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang (5,543,851) (of record) in view of Brodsky (5,809,471).

As to claim 1, while Chang discloses a method of selecting symbols on a display (Fig. 1), the method comprising:

receiving a video signal that comprises closed caption data (column 2, lines 32-36 and column 4, lines 40-50), wherein the closed caption data includes a plurality of symbols (including text data; column 4, lines 47-50 and Figs. 6-7);

displaying the closed caption data on the display (column 4, lines 47-50);

storing at least a portion of the closed caption data in a buffer (column 4, line 67-column 5, line 3);

receiving, via an input device (Fig. 3, input device, 58), first control instructions to maintain the displayed closed caption on the television display (caption pause command; column 5, lines 26-29) until the occurrence of a selected event, wherein the selected event is receipt of second control instructions to resume the display of the closed caption data in the video signal (column 5, lines 29-33);

receiving, via the input device, the third control instructions to select at least one of the symbols (column 5, lines 34-38); and

highlighting the selected symbols on the display (column 5, lines 34-38; Figs. 6a and 7), he fails to specifically disclose transmitting, via a network, the selected symbols to a database system that is external to the display.

In an analogous art, Brodsky discloses a television receiver (column 3, lines 52-60 and Figure) wherein keywords are selected from the television closed captioning text (column 5, lines 37-47 and column 6, lines 12-26) and transmitted to a database system that is external to the display (remote database; column 6, lines 28-42), via a network (the connection to the *remote* database; column 6, lines 28-42) for the typical benefit of providing additional related information *of interest* to the viewer (column 3, lines 52-60 and column 6, lines 12-15).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Chang's system to include transmitting, via a network,

the selected symbols to a database system that is external to the display, as taught by Brodsky, for the typical benefit of providing a user with immediate access to additional content related to the current broadcast.

As to claim 3, while Chang discloses an electronic device (Fig. 1), comprising:

an input device (Fig. 3, input device, 58) for receiving control instructions from a user (column 4, lines 17-20);

a controller (microcontroller controlling the system; column 3, lines 42-53) for receiving and displaying a video signal that comprises closed caption data (column 2, lines 32-36 and column 4, lines 40-50), wherein the closed caption data includes a plurality of symbols (including text data; column 4, lines 47-50 and Figs. 6-7), wherein in response to receiving first control instructions from a user (caption pause command; column 5, lines 26-29), the controller maintains a selected portion of the closed caption data on the television display (column 5, lines 26-29) until the occurrence of a selected event, wherein the selected event is receipt of second control instructions to resume the display of the closed caption data in the video signal (column 5, lines 29-33), and wherein, in response to receiving, via the input device, the third control instructions to select at least one of the symbols (column 5, lines 34-38), the controller highlights the selected symbols on the television display (column 5, lines 34-38; Figs. 6a and 7), he fails to specifically disclose wherein the controller is configured to transmit the selected symbols to a database system that is external to the electronic device.

In an analogous art, Brodsky discloses a television receiver (column 3, lines 52-60 and Figure) wherein keywords are selected from the television closed captioning text (column 5, lines 37-47 and column 6, lines 12-26) and transmitted to a database system that is external to the display (remote database; column 6, lines 28-42), via a network (the connection to the *remote* database; column 6, lines 28-42) for the typical benefit of providing additional related information *of interest* to the viewer (column 3, lines 52-60 and column 6, lines 12-15).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Chang's system to include wherein the controller is configured to transmit the selected symbols to a database system that is external to the electronic device, as taught by Brodsky, for the typical benefit of providing a user with immediate access to additional content related to the current broadcast.

As to claim 7, while Chang discloses a method of selecting symbols on a display (Fig. 1), the method comprising:

receiving a video signal that comprises data (column 2, lines 32-36 and column 4, lines 40-50), wherein the closed caption data includes a plurality of symbols (including text data; column 4, lines 47-50 and Figs. 6-7);

displaying one or more of the symbols (column 4, lines 47-50), wherein the displayed symbols are selectable on a symbol-by-symbol basis (wherein individual words may be selected; column 6, lines 24-29);

in response to a user request, maintaining one or more of the displayed symbols on the display (caption pause command; column 5, lines 26-29); and

in response to a user request, selecting one or more of the displayed symbols on the display (column 5, lines 34-38), he fails to specifically disclose transmitting, via a network, the selected symbols to a database system.

In an analogous art, Brodsky discloses a television receiver (column 3, lines 52-60 and Figure) wherein keywords are selected from the television closed captioning text (column 5, lines 37-47 and column 6, lines 12-26) and transmitted to a database system that is external to the display (remote database; column 6, lines 28-42), via a network (the connection to the *remote* database; column 6, lines 28-42) for the typical benefit of providing additional related information *of interest* to the viewer (column 3, lines 52-60 and column 6, lines 12-15).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Chang's system to include transmitting, via a network, the selected symbols to a database system, as taught by Brodsky, for the typical benefit of providing a user with immediate access to additional content related to the current broadcast.

As to claim 20, while Chang discloses an electronic device (Fig. 1), comprising:

an interface (Fig. 3, input device, 58) for receiving control instructions from a user (column 4, lines 17-20);

a controller (microcontroller controlling the system; column 3, lines 42-53) for receiving and displaying a video signal that comprises data (column 2, lines 32-36 and column 4, lines 40-50), wherein the data includes a plurality of symbols (including text data; column 4, lines 47-50 and Figs. 6-7), wherein in response to receiving first control instructions from a user (caption pause command; column 5, lines 26-29), the controller maintains at least some of the symbols on the display (column 5, lines 26-29) and wherein the controller receives second control instructions to select one or more of the symbols on the display (column 5, lines 34-38), he fails to specifically disclose wherein the electronic device is configured to transmit the selected symbols to a database system that is external to the electronic device.

In an analogous art, Brodsky discloses a television receiver (column 3, lines 52-60 and Figure) wherein keywords are selected from the television closed captioning text (column 5, lines 37-47 and column 6, lines 12-26) and transmitted to a database system that is external to the display (remote database; column 6, lines 28-42), via a network (the connection to the *remote* database; column 6, lines 28-42) for the typical benefit of providing additional related information *of interest* to the viewer (column 3, lines 52-60 and column 6, lines 12-15).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Chang's system to include wherein the electronic device is configured to transmit the selected symbols to a database system that is external to the electronic device, as taught by Brodsky, for the typical benefit of

providing a user with immediate access to additional content related to the current broadcast.

As to claim 31, while Chang discloses a system for selecting symbols on a television display (Fig. 3), the system comprising:

means (tuner, 16) for receiving a video signal that comprises data (column 2, lines 32-36 and lines 48-58), wherein the data includes a plurality of symbols (including text data; column 4, lines 47-50 and Figs. 6-7);

means (TV, 24) for displaying the data (column 4, lines 47-50);

means (microcontroller), responsive to a user request (column 5, lines 25-29), for maintaining a selected portion of the data on the display (column 5, lines 25-29); and

means (microcontroller), responsive to a user request (column 5, lines 34-38), for selecting at least a portion of one of the symbols on the display (column 5, lines 34-38), he fails to specifically disclose means for transmitting the selected symbols to a database system that is external to the system.

In an analogous art, Brodsky discloses a television receiver (column 3, lines 52-60 and Figure) wherein keywords are selected from the television closed captioning text (column 5, lines 37-47 and column 6, lines 12-26) and transmitted to a database system that is external to the display (remote database; column 6, lines 28-42), via a network (the connection to the *remote* database; column 6, lines 28-42) for the typical benefit of providing additional related information *of interest* to the viewer (column 3, lines 52-60 and column 6, lines 12-15).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Chang's system to include means for transmitting the selected symbols to a database system that is external to the system, as taught by Brodsky, for the typical benefit of providing a user with immediate access to additional content related to the current broadcast.

As to claims 2 and 6, while Chang and Brodsky disclose the use of an input device (keyboard; see Chang at column 4, lines 17-20), they fail to specifically disclose wherein the input device is handheld.

The examiner takes Official Notice that it was notoriously well known in the art at the time of invention by applicant to utilize a handheld remote control to operate a television, such as a typical IR remote which may be carried and used anywhere in a room, for the typical benefit of providing a more convenient, flexible and mobile means for the user to operate the television system.

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Chang and Brodsky's system to include wherein the input device is handheld for the typical benefit of providing a more convenient, flexible and mobile means for the user to operate the television system.

As to claims 9, 23, Chang and Brodsky disclose

searching the database system for information based at least in part upon the selected symbols (using the caption words as search terms; see Brodsky at column 6, lines 24-37); and

automatically displaying the results of the search (see Brodsky at column 6, lines 28-42).

As to claims 11 and 24, while Chang and Brodsky disclose receiving a video signal, they fail to specifically disclose wherein the signal is digital.

The examiner takes Official Notice that it was notoriously well known in the art at the time of invention by applicant to utilize digital transmission signals to transmit television video and other data, which require less bandwidth and storage space as analog signals, for the typical benefit of providing a more efficient transmission system which would require less bandwidth and storage for the video signals.

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Chang and Brodsky's system to include wherein the video signal is digital for the typical benefit of providing a more efficient transmission system which would require less bandwidth and storage for the video signals.

As to claim 12, Chang and Brodsky disclose highlighting the selected symbols on the display (see Chang at column 5, lines 34-38; Figs. 6a and 7).

As to claims 13 and 36, Chang and Brodsky disclose transmitting the selected symbols to an external device (transmitting to a remote database; see Brodsky at column 6, lines 28-32).

As to claims 14 and 37, Chang and Brodsky disclose wherein the external device is an information retrieval system (remote database including an encyclopedia; see Brodsky at column 6, lines 28-42).

As to claim 15, Chang and Brodsky disclose wherein the controller stores at least a portion of the received video signal in a buffer (see Chang at column 4, line 67-column 5, line 3).

As to claims 16 and 17, while Chang and Brodsky disclose a video signal containing closed captioning (see Chang at column 2, lines 30-36), they fail to specifically disclose wherein the video signal is in accordance with the EIA/CEA-608-B or EIA-708-B standard.

The examiner takes Official Notice that it was notoriously well known in the art at the time of invention by applicant to provide television signals which conform to the EIA/CEA-608-B and EIA-708-B standards, which define the proper means for providing closed captioning in a digital or NTSC video signal, for the typical benefit of providing a television transmission system which conforms to established and widely used closed captioning standards.

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Chang and Brodsky's system to include wherein the video signal is in accordance with the EIA/CEA-608-B or EIA-708-B standard for the typical benefit of providing a television transmission system which conforms to established and widely used closed captioning standards.

As to claim 18, Chang and Brodsky disclose wherein the user initiates the request to select the symbols by identifying a location on the display (see Chang at column 6, lines 24-29).

As to claim 19, Chang and Brodsky disclose wherein the symbols are selected by determining which of the words in the video signal is displayed at the identified location (identifying the selected word and performing a function; see Chang at column 6, lines 24-48).

As to claim 26, Chang and Brodsky disclose wherein the television highlights the selected symbols on a display (see Chang at column 5, lines 34-38; Figs. 6a and 7).

As to claim 28, Chang and Brodsky disclose wherein the controller stores at least a portion of the received video signal in a buffer (see Chang at column 4, line 67-column 5, line 3).

As to claim 29, Chang and Brodsky disclose wherein the user initiates the request to select the symbols by identifying a location on the television display (see Chang at column 6, lines 24-29).

As to claim 30, Chang and Brodsky disclose wherein the symbols are selected by determining which symbols are displayed at the identified location (identifying the selected word and performing a function; see Chang at column 6, lines 24-48).

As to claim 33, Chang and Brodsky disclose

means for searching the database system (see Brodsky at column 6, lines 28-42), wherein the selected symbols are used as keywords of the search (see Brodsky at column 6, lines 24-42); and

means for automatically displaying the results of the search (see Brodsky at column 6, lines 28-42).

As to claim 35, Chang and Brodsky disclose means for highlighting the selected symbols on the display (see Chang at column 5, lines 34-38; Figs. 6a and 7).

As to claim 38, Chang and Brodsky disclose wherein the controller stores at least a portion of the received video signal in a buffer (see Chang at column 4, line 67-column 5, line 3).

As to claim 39, Chang and Brodsky disclose wherein the user initiates the request to select the symbols by identifying a location on the display (see Chang at column 6, lines 24-29).

As to claim 40, Chang and Brodsky disclose wherein the symbols are selected by determining which of the words in the video signal is displayed at the identified location (identifying the selected word and performing a function; see Chang at column 6, lines 24-48).

As to claims 41 and 42, while Chang and Brodsky disclose a network, they fail to specifically disclose wherein the network is wireless.

The examiner takes Official Notice that it was notoriously well known in the art at the time of invention by applicant to utilize wireless networking, which eliminates the need for a wire physical connection and other infrastructure, for the typical benefit of allowing providing a more flexible, user friendly network which eliminates the need for users to physically connect through wires and other static infrastructure.

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Chang and Brodsky's system to include a wireless network for the typical benefit of allowing providing a more flexible, user friendly network which eliminates the need for users to physically connect through wires and other static infrastructure.

As to claims 43 and 44, Chang and Brodsky disclose wherein the device further comprises a television (TV, 24; see Chang at Fig. 1).

As to claim 10, 25 and 34, while Chang and Brodsky disclose transmitting the selected symbols to a remote computer (remote database; see Brodsky at column 6, lines 28-31), they fail to specifically disclose transmitting over the Internet.

The examiner takes Official Notice that it was notoriously well known in the art at the time of invention by applicant to utilize the Internet to transmit data, a global information network allowing access to computers around the world, for the typical benefits of taking advantage of a well known, and widely utilized, data network for communicating information between remote computers.

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Chang and Brodsky's system to include transmitting over the Internet, for the typical benefits of taking advantage of a well known, and widely utilized, data network for communicating information between remote computers.

As to claims 5, 8 and 22, while Chang and Brodsky disclose a remote database (remote database; see Brodsky at column 6, lines 28-31), they fail to specifically disclose an Internet search engine.

The examiner takes Official Notice that it was notoriously well known in the art at the time of invention by applicant to utilize an Internet search engine to find relevant information, thereby providing access to a global information network allowing

connection to computers and information from around the world, for the typical benefits of taking advantage of a well known, and widely utilized, data network for finding relevant information to a user.

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Chang and Brodsky's system to include an Internet search engine, for the typical benefits of taking advantage of a well known, and widely utilized, data network for finding relevant information to a user.

Response to Arguments

4. The declaration filed on 03/15/06 under 37 CFR 1.131 is sufficient to overcome the Wong reference.

5. Applicant's arguments with respect to claims 1-3, 5-20, 22-26, 28-31 and 33-44 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Freadman (5,722,041) disclosing a computer system which can alternatively search a local CD-ROM and a remote Internet database.

Logan et al. (5,892,536) disclosing performing an Internet search for content to be displayed with television programming.

Schein et al. (6,002,394) disclosing searching an Internet database for content to be displayed on a television.

7. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

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Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Sheleheda whose telephone number is (571) 272-7357. The examiner can normally be reached on 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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